

Notice of Allowability

Application No.

09/935,294

Examiner

Huyen X. Vo

Applicant(s)

SILVERMAN ET AL.

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/30/2005.
2. ☒ The allowed claim(s) is/are 2-8, 12-14, 16, 19 and 20.
3. ☒ The drawings filed on 22 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 2-8, 12-14, 16, and 19-20 are allowed over prior art of record. The following is a statement of reasons for the indication of allowable subject matter:

Pertrushin (US 6151571) discloses a method for detecting emotion in voice signals through analysis of a plurality of voice signal parameters. The analyzed voice signal parameters are then compared with the voice parameter models stored in the database to determine psychological state of that user. Bogdashevsky et al. (US 6006188) disclose a method for determining psychological characteristics using a knowledge base. The method disclosed by Bogdashevsky et al. extracts speech parameters from the input speech and compares the extracted speech parameters with pre-stored speech parameters to determine the psychological state of a user. Both Pertrushin and Bogdashevsky et al. fail to specifically disclose the steps of: identifying the person as having a relatively high near-term risk of suicide if detected reduction in energy content of said series of words over the course of speaking of the same exceeds that occurring in the speech of individuals in good mental health having no near-term suicidal risk; identifying the speaker as having a relatively high near-term risk of suicide if detected energy content of said words and frequency of commencement of said words are both lower, by predetermined amounts, than the occurrence of the same in the speech of individuals in good mental health having no near-term suicidal risk; identifying the person as having relatively high near-term suicidal risk if measured time varying frequency at word commencement varies by less than a predetermined amount than in

the speech of individuals in good mental health having no near-term suicidal risk; identifying the person as having relatively high near-term suicidal risk if measured average time varying frequency of said signal is lower by a predetermined amount than in the speech of individuals in good mental health having no near-term suicidal risk; identifying the person as having a relatively high near-term risk of suicide if said initial amplitude of said spoken word exceeds amplitude of said preceding and/or succeeding contiguous words by more than a pre-selected amount based on speech of individuals in good mental health having no near-term suicidal risk; identifying the person as having a relatively high near-term risk of suicide if dynamic amplitude pattern differs by more than a pre-selected amount from the dynamic amplitude patterns of individuals in good mental health having no near-term suicidal risk; identifying the person as having a relatively high near-term risk of suicide if detected changes in speech rhythm of the person repeatedly occur more often than in speech of individuals in good mental health having no near-term suicidal risk; and identifying the person as having a relatively high near-term risk of suicide if the combination of detected intonal increase in energy content and terminal decrease in energy content of said words exceeds that occurring in the speech of individuals in good mental health having no near-term suicidal risk. Furthermore, it would have not been obvious to one of ordinary skill in the art at the time of invention to modify Pertrushin and/or Bogdashevsky et al. to obtain the claimed invention. Therefore, claims 2-8, 12-14, 16, and 19-20 are allowed over prior art of record.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

1/12/2006



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER